

### **REMARKS**

Applicant thanks the examiner for the courtesy of an interview on July 14, 2009. During the interview, differences between the cited art and the invention were discussed.

During the interview, it was discussed that Okita (U.S. Patent No. 4,822,361) discloses a structure intended to have a fixed geometry and not be able to re-expand (see col. 4, lines 9-11 “the stretched tube is sintered by heating to a sintering temperature of 327 °C. or more to fix the stretched structure.”) In contrast, the present invention is intended to be able to be re-inflated in order to function as a catheter balloon. It was also pointed out that the only step involving axial restraint is during sintering (see col. 7, lines 50). There is no step of axial restraint while shrinking. These differences resulting a device with different properties than those of the invention for reasons that have been previously discussed.

Although applicants submit that the previously submitted claims are distinct from the prior art, solely to expedite prosecution, the present claims have been amended to make reference to these differences, as suggested by the examiner during the interview. Accordingly, Applicant submits that the claims are now in condition for allowance.

### **CONCLUSION**

All of the stated grounds of objection and rejection are believed to have been properly overcome, traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. An early notice indicating the allowability of claims 1-11, 13-19, and 35-48 is respectfully requested.

The Examiner is respectfully requested to contact Applicant's undersigned Representative if necessary to place the application in condition for allowance.

Respectfully submitted,

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/Keith G. Haddaway/

Keith G. Haddaway, Ph.D.  
Registration No. 46,180  
VENABLE LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
Telephone: . (202) 344-4000  
Direct Dial: . (202) 344-8009  
Telefax: . (202) 344-8300

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